

# TEXT AMENDMENT STAFF REPORT



Hearing Date: 2-19-15

Case File #: TA-15-02

General Description: Article 10 - Landscaping

☒ Town Initiated

☐ Citizen Initiated

Applicant(s):

## APPLICATION OVERVIEW:

The Sunset Beach Planning & Inspections Department has initiated an application to have the entire Article 10 (Landscaping) reviewed and replaced. The concern from Town Council and the Planning Board is that the revision is needed to rectify perceived discrepancies between the old zoning code and the current UDO with regards to required landscaping standards.

## STAFF COMMENTARY

Staff has reviewed Article 10 (Landscaping) in its entirety. Based upon past actions conducted by the Planning Board and Town Council, staff believes the best course of action for comprehensive correction of the stated concerns regarding the ordinance is a holistic review and revision. As such, staff has amended, modified, and restructured Article 10 for Planning Board and Town Council consideration.

Staff has included changes based upon past comments made from Planning Board and Town Council and inserted additional language. Nearly all (about 90%) of the language in the new ordinance comes from existing language. Staff has added and modified some language to address recent issues regarding landscaping provisions.

Highlights of the amendment are as follows:

- Restructured the format of the Article for a more intuitive flow; including clearly separating residential and nonresidential requirements;
- Defining "residential" and "nonresidential" in terms of ordinance applicability;

## DEPARTMENT OF PLANNING AND INSPECTIONS

- Clarified how to address commercial nonconforming landscaping plans;
- Consolidated and “rolled-in” previous zoning language (10.05), including moving language to appropriate sections in new UDO and removed redundant language;
- Addressed and incorporated State and Federal requirements for buffering;
- Added language regarding single-family residence landscaping and plan submittal requirements;
- Amended and add language to address required landscaping in front yards for residential uses;
- Planning Board authorized to accept and approve alternative plans under “equal or better performance” review for unique situations, as defined;
- Removed duplex and triplex exemption for tree preservation. Single-family remains exempt.

### PROPOSAL

In the interest of efficiency, Staff recommends removing the existing Article 10 in its entirety and replacing the Article with the attached ordinance or with a version of the attached ordinance reviewed and approved by the Planning Board and Town Council.

### **PLANNING BOARD SUMMARY**

#### **Action:**

The Planning Board finds that the proposed amendments to Unified Development Ordinance \_\_\_\_\_ is \_\_\_\_\_ is not consistent with the Sunset Beach Comprehensive Land Use Plan.

Passed \_\_\_\_\_ Denied \_\_\_\_\_ (For \_\_\_\_\_ Against \_\_\_\_\_ Abstained \_\_\_\_\_)

#### **Commentary:**

Planning Board voted unanimously for recommending “Option 1” and removing the sloped roof standard for modular homes from the ordinance.

## DEPARTMENT OF PLANNING AND INSPECTIONS

\_\_\_\_\_BELOW TO BE COMPLETED BY TOWN CLERK\_\_\_\_\_

### TOWN COUNCIL ACTION

### TOWN COUNCIL SUMMARY

#### **Action:**

The Town Council finds that the proposed amendments to Unified Development Ordinance  
\_\_\_\_\_is \_\_\_\_\_is not consistent with the Sunset Beach Comprehensive Land Use Plan.

Passed\_\_\_\_\_ Denied\_\_\_\_\_ (For\_\_\_\_\_ Against\_\_\_\_\_ Abstained\_\_\_\_\_)

#### **Commentary:**